



MINUTES

**Town of Weaverville
State of North Carolina**

**Town Council Regular Meeting
Monday, April 26, 2021**

The Town Council for the Town of Weaverville met for its regularly monthly meeting on Monday, April 26, 2021, at 7:00 p.m. in Council Chambers within Town Hall at 30 South Main Street, Weaverville, NC.

Councilmembers present were: Mayor Al Root, Vice Mayor Doug Jackson, and Councilmembers Andrew Nagle, Jeffrey McKenna and Patrick Fitzsimmons. Councilmember Sherrill was absent.

Staff members present were: Town Manager Selena Coffey, Town Attorney Jennifer Jackson, Clerk/Planning Director James Eller, Finance Officer Tonya Dozier, Police Chief Ron Davis, Fire Chief Ted Williams, Public Works Director Dale Pennell, and Water Superintendent Trent Duncan.

1. Call to Order

Mayor Al Root called the meeting to order at 7:00 p.m.

2. Approval/Adjustments to the Agenda

Vice-Mayor Jackson motioned to adopt the agenda as amended, moving the previously listed agenda item 7F related to the Community Center up to 7B with each successive agenda item cascading accordingly. Councilmember McKenna seconded and all voted in favor. Motion passed 4-0.

3. Approval of the Minutes

Councilmember Fitzsimmons motion to adopt the minutes as presented. Councilmember McKenna seconded and all voted in favor. Motion passed 4-0.

4. General Public Comment

General public comments may be submitted either during the meeting or in writing in advance of the meeting. Normal rules of decorum apply to all comments. The general public comments section of the meeting will be limited to 20 minutes and priority will be given to those commenters in attendance. Individuals presenting comments during the meeting are generally limited to 3 minutes. Written comments that are timely received will be provided to Town Council, included as part of the minutes of the meeting, and read into the record during the 20 minute general public comment period as time allows. Written comments are limited to no more than 450 words and can be submitted as follows: (1) by emailing to public-comment@weaverrillenc.org at least 6 hours prior to the meeting, (2) by putting your written comment in a drop box at Town Hall (located at front entrance and back parking lot) at least 6 hours prior to the meeting, (3) by mailing your written comment (must be received not later than Monday's mail delivery) to: Town of Weaverville, PO Box 338, Weaverville, NC, 28787, Attn: Public Comments. For more information please call (828)645-7116.

No public comment was received.

5. Consent Agenda

Councilmember Nagle moved for the approval of the Consent Agenda. Councilmember McKenna seconded the motion. All voted in favor of the motion to approve all action requested in the Consent Agenda listed below. Motion passed 4-0.

- A. Monthly Tax Report** – *Information only – submitted by Buncombe County Tax Department.*
- B. Budget Amendment: Fire, Public Works and Cops for Kids** – *\$9,860 as a partial reimbursement for recycling carts obtained and distributed by Public Works; \$12,638 reimbursement from FEMA for fire departments involvement in hurricane relief efforts; \$65 in Cops for Kids donations.*
- C. Budget Amendment: Public Works Seasonal Staffing** – *\$10,000 moved from contract labor to seasonal employees.*
- D. Road Closure Ordinance: July 4th Celebration** – *Closure of Main Street and establishment of detours for the July 4th celebration.*
- E. Annual Presentation of Town Manager Policies** – *Presentation of policies adopted by the Town Manager in accordance with section 6, article 1 of the personnel policy.*
- F. Set Public Hearing on Budget for May 24 at 6pm** – *Public Hearing on 2021-2022 budget to be held on the noted date and time.*
- G. Dry Ridge Historical Museum Lease Agreement** – *Approved lease agreement for the Dry Ridge Museum space within the town's community center.*

6. Town Manager's Report

Ms. Coffey presented her Manager's report to Council which included information related to the presentation of proposed 2021-2022 fiscal year budget on Tuesday, May 11, 2021 and continued negotiations related to a potential US Cellular permanent easement.

7. Discussion and Action Items

A. Report on Fire Department Rating Inspection.

Davie Summey, Fire Department Rating and Inspection Supervisor for the Deputy State Fire Marshal, Fire, and Rescue Services division of the North Carolina Department of Insurance spoke to Council regarding a recent visit and inspection of the Weaverville Fire Department. Mr. Summey reported that the rating of the fire department had improved from a class four to a class two which represents a better insurance rate for property owners. Chief Williams accepted a recognition on behalf of the Fire Department.

B. Community Center: Update and Change Order #4.

Mr. Pennell and John Legerton updated Council on the construction progress of the community center and described change order #4 which included 12 items, some increases, and some decreases in cost, which amounted to a \$2,027 overall increase in construction cost. Both also spoke to some weather delays and the need to add extra weather days for construction as a result. A corresponding budget amendment was also presented.

Councilmember Nagle motioned to adopt the change order as presented. Councilmember McKenna seconded and all voted in favor. Motion passed 4-0.

C. Electronic Vehicle Charging Station.

Ms. Coffey presented Council with information related to a proposed electric vehicle charging station to be placed in the parking lot at Lake Louise. Vice-Mayor Jackson voiced a concern related to the technology used for the EV charging station. Mayor Root called for a motion on the matter.

No motion was made. The Town Manager asked for confirmation that this meant that the grant awarded would not be accepted by the Town and that the project would not proceed. By consensus Town Council agreed with that understanding.

D. Eller Cove Watershed Monitoring.

Ms. Coffey described the annual monitoring efforts required for the Eller Cove watershed conservation easement. Ms. Coffey also shared notes provided by Southern Appalachian Conservancy staff showing where trespassers had accessed the property and caused damage. Councilmember McKenna noted an opportunity to create a volunteer group to walk the property on occasion to assist with monitoring efforts.

E. Continuation of Discussion on Possible Discrimination Responses.

Mayor Root noted Council's efforts and deliberations which informed the proposed Resolution Concerning Non-Discrimination in the Town of Weaverville prepared for Council's consideration.

Councilmember Fitzsimmons motioned to adopt the proposed resolution. Vice-Mayor Jackson seconded and all voted in favor. Motion passed 4-0.

F. Authorization to Sell Surplus Property.

Ms. Coffey spoke to Council regarding an international tanker truck that is now surplus property, and its potential value. The value exceeds the Manager's authority to dispose of and therefore she was seeking Town Council's approval. Mr. Duncan spoke regarding the previous use of the tanker truck and how it had come to be surplus property.

Councilmember McKenna motioned to declare the tanker truck surplus property and authorize its sale and disposition through GovDeals. Councilmember Fitzsimmons seconded and all voted in favor. Motion passed 4-0

G. Land Development Regulations Update

Ms. Jackson guided Council through a presentation on the town's land development regulations update which includes matters associated with G.S. Chapter 160D and other recent changes in policy. Additional direction was given related to the Mayor's role in appointing Planning Board and Board of Adjustment, discretionary vs. mandatory removal of Board of Adjustment members, optional Planning Board review of quasi-judicial matters, optional newspaper notice for zoning map amendments, posting of mailed notices for community meetings associated with conditional districts, performance guarantees for special use permits, restrictions on family care homes, repeal of existing grading regulations, and initial review by Town Council of zoning map amendments. Ms. Jackson also reviewed public input efforts which included a public comment period, four staff led public information sessions and the requested public hearing on May 24.

Councilmember Nagle motioned to hold the public hearing related to the land use regulation update on Monday, May 24 at 6pm. Councilmember McKenna seconded and all voted in favor. Motion passed 4-0.

H. Audit Contract

Ms. Dozier described to Council that, at their direction, an additional three year audit contract had been negotiated between the town and Gould Killian.

Councilmember Nagle motioned to approve the audit contract and authorization for the Mayor and staff to execute same. Councilmember McKenna seconded and all voted in favor. Motion passed 4-0.

I. Quarterly Report – Finance

Ms. Dozier presented Town Council with the quarterly report for the Finance Department.

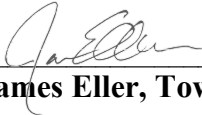
J. Quarterly Report - Planning

Mr. Eller presented Town Council with the quarterly report for the Planning Department.

Proposed Senate Bill 349 – House Bill 401 was briefly discussed. Councilmember Fitzsimmons requested that Council discuss the proposed bill at their next meeting.

8. Adjournment

Without objection, Mayor Root declared the meeting adjourned at 9:25 p.m.



James Eller, Town Clerk

Town of Weaverville

**AN ORDINANCE DECLARING A ROAD CLOSURE FOR THE
Weaverville July 4th Celebration**

WHEREAS, the Town Council of Weaverville acknowledges a long tradition of hosting a July 4th celebration, that benefits the Weaverville and the North Buncombe community; and

WHEREAS, the Town Council of Weaverville acknowledges the July 4 downtown celebration will require approximately two (2) hours to install signage, and also will require approximately one (1) hour for removing signage, litter, etc.

WHEREAS, The Town Council of Weaverville recognizes that the detour route will be appropriately marked with signage and personnel at various locations to ensure the motoring public travels safely and without unnecessary delay.

NO THEREFORE BE IT ORDAINED by the Town Council of Weaverville pursuant to the authority granted by G. S. 20-169, that we do hereby declare a temporary road closure on the day and times set forth below and the following described portion of a State Highway System route:

Weaverville Downtown July 4th Celebration


Date: July 4, 2021

Time: 12:00pm until 11:30pm

Road Closure: The portion of Main Street between Church Street and Brown Street will be closed and all traffic safely detoured around this area.


This ordinance to become effective when signs are erected giving notice of the road closures and detour routes, the implementation of adequate traffic control.

Adopted this 26th day of April, 2021



Al Root, Mayor

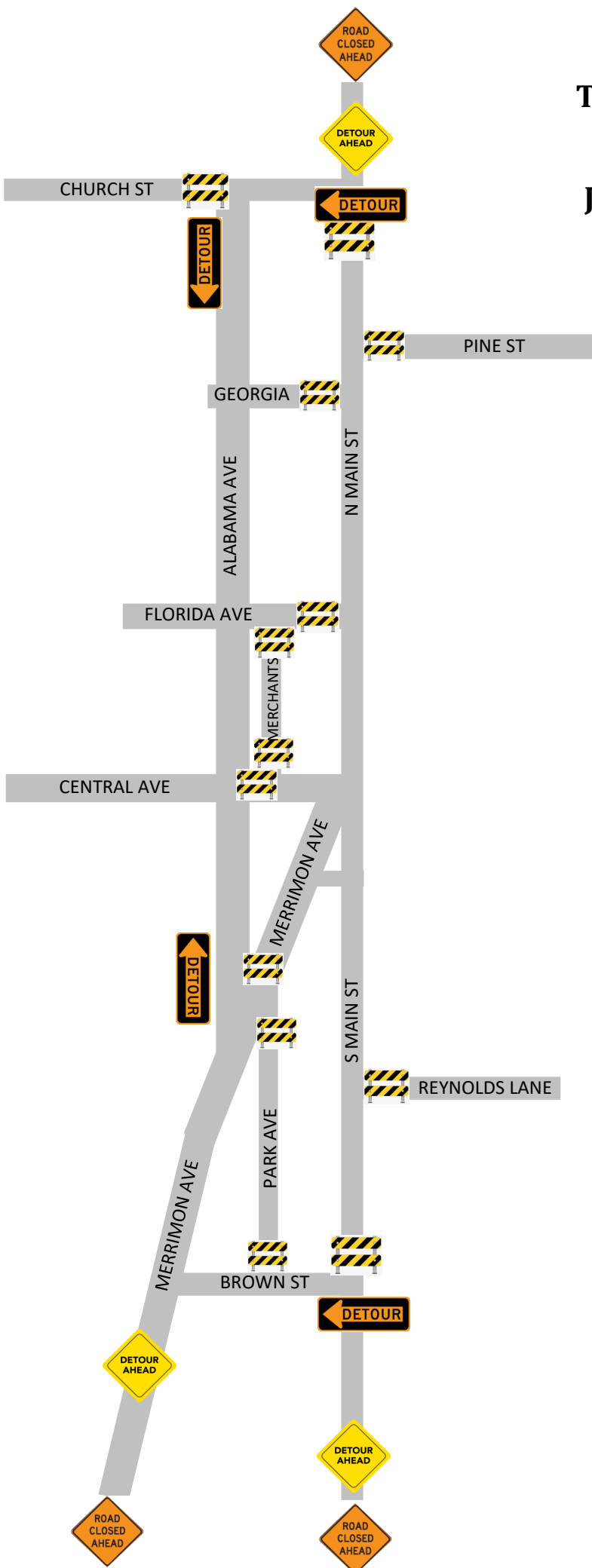
Attest:



James Eller, Town Clerk



**TOWN OF WEAVERVILLE
NORTH CAROLINA
JULY 4 ROAD CLOSURES**



**RESOLUTION CONCERNING NON-DISCRIMINATION
IN THE TOWN OF WEAVERVILLE**

WHEREAS, consistent with the values established by Town Council in the Title VI Non-Discrimination Policy and Implementation Plan adopted on April 27, 2020, the Mayor and Town Council affirm that every person deserves to be treated with dignity and respect and should be able to live and work in the Town of Weaverville without fear of discrimination of any kind; and

WHEREAS, LGBTQ people in North Carolina are vulnerable to discrimination in many areas of life, including education, housing, healthcare, public spaces, and the workplace, because of a lack of statewide non-discrimination protections; and

WHEREAS, while federal and statewide protections currently exist, in the last year there has been an increase in hate crimes against Asian Americans and Pacific Islanders based on their national origin or ancestry, there continues to be wage gaps on the basis of gender, race, and ethnicity, and many people of color continue to face systemic racism, especially in the area of legal justice and law enforcement; and

WHEREAS, Weaverville residents strongly support protecting all people from the indignity of discrimination; and

WHEREAS, non-discrimination laws, policies, and practices, including those that are LGBTQ-inclusive, send a message that everyone is welcome to build a life, raise a family, or start a business within the Town; and

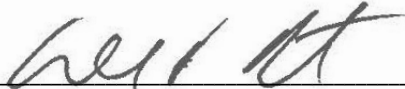
WHEREAS, the Weaverville Town Government will not discriminate against any human being in its employment practices or in its provision of services, operations, or programs on the basis of sexual orientation, gender identity, gender expression, race, ethnicity, creed, color, sex, national origin, national ancestry, marital status, familial status, pregnancy, veteran or military status, religion, religious beliefs or non-beliefs, age, disability, or income level; and

WHEREAS, the Town of Weaverville welcomes companies, corporations, small businesses, and sole proprietors who adopt non-discrimination policies and procedures; and

WHEREAS, discrimination will not be tolerated in areas of public accommodations which include places such as hotels, motels, inns, restaurants, retail stores or establishments, galleries, or other similar establishments, which supply goods, services, or accommodations to the public or which solicit or accept the patronage or trade of any person;

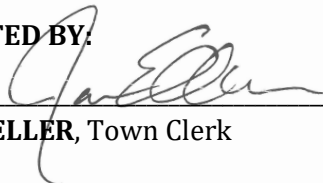
NOW, THEREFORE, BE IT RESOLVED that the Town Council of the Town of Weaverville calls on all of its citizens to treat all persons with respect and dignity, and calls upon all businesses in the Town to adopt non-discrimination policies, procedures, and practices in order to reflect the community's shared values of equality, inclusion, and fair access, and to protect against discrimination within the Town of Weaverville.

ADOPTED THIS the 26th day of April, 2021, by a vote of 4 in favor and 0 against.



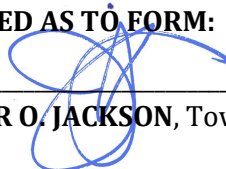
ALLAN P. ROOT, Mayor

ATTESTED BY:



JAMES ELLER, Town Clerk

APPROVED AS TO FORM:



JENNIFER O. JACKSON, Town Attorney

